

JUN 23 2006

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FACSIMILE TRANSMITTAL SHEET

To: USPTO
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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FROM: James W. Collett, Ph.D.

DIRECT DIAL: 619.744.2240

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MESSAGE: Response to Non-Compliant Amendment dated May 23, 2006.

NOTE: Original will not follow

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Attorney Docket No.: E5106-00005

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UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of |) | Examiner: Audet, Maury A. |
| |) | |
| Raymond Ming Wah Chau |) | Art Unit: 1654 |
| |) | |
| Serial No.: 10/541,343 |) | Confirmation No.: 8965 |
| |) | |
| Filed: July 5, 2003 |) | Customer No.: 53897 |
| |) | |
| For: MNTF PEPTIDES AND |) | |
| COMPOSITIONS AND METHODS |) | |
| OF USE |) | |
| |) | |

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This communication is filed in response to the Notice of Non-Compliant Amendment mailed May 23, 2006 regarding the Response to Restriction Requirement mailed April 17, 2006. The Notice set a one month or thirty (30) day, whichever was longer, period for response. No fee is believed due because this response is timely filed within the period for response which is up to and including June 23, 2006 without an extension of time. Should any fees be due in connection with this submission, the Commissioner is hereby authorized to charge the requisite fees, or any fees in connection with this application during its entire pendency, or to credit any overpayment, to Deposit Account No. 04-1679. Applicants request that the U.S. Patent and Trademark Office consider the following remarks and remove the pending restriction requirement for the following reasons.

CERTIFICATE OF FACSIMILE FILING

I hereby certify that on the date indicated below this correspondence (and anything referred to as being transmitted herewith) is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on the date shown below.

Date of Deposit: June 23, 2006

By:


Roxanne Ippolito

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